

**UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES**

September 1st, 2020

The **September** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, September 1st, 2020 at 5:59 P.M.**, in the conference room at Farmers State Bank, 1500 8th Street, Calhan, Co., by President Dave Doran who determined a quorum was present.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer, Secretary Darrel Nily, Treasurer J.R. Bond via phone
Director Bond came on at 6:01 P.M.

Board Members Absent: NA

Others in Attendance: John Hill, Attorney Lisa Thompson via phone,
Tracy Doran

PUBLIC NOTICE OF THE MEETING WAS POSTED AND OPEN TO THE PUBLIC

1. Call to Order/Roll Call:

President Doran called the meeting to order and took roll call and determined a quorum was present.

2. Agenda for September 1st, 2020:

Director Farmer motioned to approve the September 1st, 2020 agenda. Director Nily seconded the motion. Motion carried (3-0)

3. Minutes for August 4th, 2020:

Director Farmer motioned to approve the August 4th, 2020 minutes. Director Nily seconded the motion. Motion carried (3-0)

4. Treasurer Report & Any Bills Needing Board Approval:

Manager Doran updated the board on the income for the month of August and noted that we had not received an attorney bill yet this month and will be added to next months. Director Farmer motioned to approve the August treasurer report. Director Nily seconded the motion. Motion carried (4-0)

5. Preliminary 2021 Budget:

The Board discussed the preliminary 2021 budget and did not have any additional changes. Manager Doran advised that she had sent everything to the accountant but we can change things up until the budget hearing.

VISITOR INPUT

NA

OLD BUSINESS

1. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71:

Attorney Thompson updated the Board that there was a status conference on August 11th, 2020. Cherokee updated the Hearing Officer and noted that they were still working on engineering. The next status conference will be in December 2020. Discussion followed on non-compliance issues with the waste water treatment facility.

2. District Violations:

Attorney Thompson advised that Mr. Tran did not comply with moving the case forward on Denver well, and did not drill the Arapahoe well and he is in violation of his well permit. Commission Staff and an El Paso County Sheriff will do an inspection and tag the well soon. Chris Grimes has done an incredible job of staying on top of this she and the Board noted.

3. District Rulemaking:

Attorney Thompson noted that she had a couple of minor revisions that she sent to Mike Wireman. Ms. Thompson advised that Mike would be going to Michigan but will have those revisions completed and sent to us before he leaves. Ms. Thompson will get those rules out.

4. Hyatt Variance Request:

Ms. Thompson reported that the District had gotten 3 objections to the Hyatt variance request and that the objection period is over. Discussion followed on having the Hearing in November, that it has to be published two times and that it can be part of the regular meeting, and on also having an option with Covid for remote phone or zoom. Director Nily motioned to set the Hyatt Variance request for Hearing at the November 3rd, 2020 meeting. Director Farmer seconded the motion. Motion carried (4-0)

Written notice to the applicant and objectors will be sent by certified mail by Attorney Thompson. Discussion followed on Pre-Hearing statements, and on the procedures.

5. USGS Monitoring Program/Water Quality Study:

President Doran advised the board that we signed a joint funding agreement with USGS on both the monitoring program and the water quality study. Mike Wireman will be working with USGS on these. Discussion followed on getting help from all districts to find wells to monitor and participate. Attorney Thompson noted that Mike Wireman is very proud and excited that the Board has taken this on. Attorney Thompson advised that Mike can give an update to the Board at the November meeting. Discussion followed.

NEW BUSINESS

Water Well Permit Applications:

1. Troyer:

The State said that the applicant is applying for a well on an undivided parcel initially planned for a subdivision under 894-BD and Replacement Plan. They will need to provide a water deed in order to get an exempt well per our Rules. They have 40.72 acres, and are asking for 1 dwelling, 1 acre of irrigated acres, domestic animal watering, and 3 acre-feet in the Denver Basin Aquifer. It is in Eureka Subdivision and will be the only well on the property. They can get 1 acre-foot but not 3.

2. McCave:

The applicant is applying for a well in the Old West Ranch under 459-BD. The State says they were deeded 2 acre-feet but will be limited to 1 acre-foot because there is no Replacement Plan. They have 35 acres, asking for max homes, max irrigation, domestic animal watering and 2 acre-feet in the Denver aquifer. Standard response that until the ownership of the Determination of Water Right is decided the Upper Black Squirrel is not taking a position. They would be limited by our rules to 1 acre-foot in the Denver.

3. Maldonado:

The applicant is applying for a domestic well on 35.13 acres, for 2 homes, 1 acre of irrigation, domestic animal watering, and 1 acre-foot in the Arapahoe aquifer. It meets the District's rules and regulations.

4. Old West Ranch Partners, LLC:

This parcel falls under Determination of Water Right 459-BD and is owned by the applicant. The applicants must register the existing wind mill for livestock use and will remove livestock watering from the attached application the State said. 1 acre-foot would be allotted for the annual appropriation for an exempt well. They are applying to construct a new well permit for 1 home, 13,000 sq. feet of irrigation, domestic animal watering and livestock watering on 40.948 acres. The annual acre-feet is left blank but the aquifer is the Denver. They want to drill a new well and keep the livestock well. They would be limited to 1 acre-foot for the new well per our rules. The livestock well is in the alluvium. Stock answer for the 459-BD with the additional comments that they will only be allowed 1 acre-foot (Rule 17) and 1 acre-foot for the Stock well (Rule 3(B)(ii)(4)).

5. Trails End Partners, LLC:

The applicant is applying for a well under Determination of Water Right 1188-BD. According to the State the applicant was transferred all water under this determination, 11,800 acre-feet a year. They are asking for 1 acre-foot in the Denver aquifer, 2 homes, 1 acre of irrigation, domestic animal watering, and livestock watering on 35.39 acres and it will be the only well on the property.

Director Farmer motioned to approve all the well permit applications with Tracy's comments that she will send to the State. Director Nily seconded the motion. Motion carried (4-0)

Determination of Water Rights:

1. Robert & Jaqueline Koneval:

The applicants are applying for determination of water rights underlying their 5-acre parcel in Sylvan Meadows Subdivision for the Denver and Arapahoe aquifers. The proposed beneficial uses are domestic and irrigation.

2. Timothy Parker & Suzet Schreier:

The applicants are applying for determination of water rights underlying their 5-acre parcel in Sylvan Meadows Subdivision for the Denver aquifer. The proposed beneficial uses are: domestic, livestock, and irrigation.

3. Davidson Revocable Trust:

The applicants are applying for determination of water rights underlying their 5-acre parcel in Sylvan Meadows Subdivision. The proposed beneficial uses are: domestic, irrigation, replacement, fish and wildlife and recreation.

Director Farmer motioned to approve all the determination of water rights but note to the State in the comments that they will be limited to .5-acre feet when they apply for a well permit per our Rule 17. Director Nily seconded the motion. Motion carried (4-0)

El Paso County Reviews:

Consent Calendar:

1. The Estates at Rolling Hills #2/Meridian/Prelim & Final Plat:

98 lot development within the Meridian Ranch Subdivision. The site is about 117 acres and is northeast of Rex Road and Sunrise Ridge Drive. Meridian will provide water and waste water. They will use existing wells 17655-F, 17656-F, 17657-F, and 17661-F and say they will need around 32.5 acre-feet per year. The Board directed Attorney Thompson to take a quick review.

2. Grandview Reserve Sketch Plan Response to letter:

The property consists of 768.2 acres, and proposes 3261 residential units at varying densities, commercial uses, parks and open spaces (132+ acres) and potential school and Church sites. This is the responses from Lisa's comments on their plan from their consultant N.E.S. The Board directed Attorney Thompson to review the responses and comment back.

3. Bent Grass West PUD Prelim Plan:

They propose 262 lots. Woodmen Hills Metro District plans to supply both the water and waste water. Director Nily motioned to have Attorney Thompson and Mike Wireman review and comment if necessary. Director Farmer seconded the motion. Motion carried (4-0)

Called Up Consent Calendar/El Paso County Reviews:

NA

New Business Not Covered Above:

Any Other Business the Board May Have:

Manager Doran reported that she got the date for the Grandview Reserve Hearing on the 5 Metro Districts and that it will be on September 22nd, 2020 at 9 A.M. at Centennial Hall.

Manager Doran reported that she got a response to the Boards concerns about detention ponds and underdrains in the new Falcon Marketplace. Discussion followed.

President Doran stated he spoke to Bob Longenbaugh and he is not doing so well. Discussion followed on sending a card of hope and thanks as he has been a wealth of knowledge to the district.

Next meeting will be October 6th, 2020

EXECUTIVE SESSION

NA

EXECUTIVE SESSION REPORT

NA

ADJOURNMENT

President Doran called for the meeting to be adjourned.

Director Farmer made a motion to adjourn the meeting. Director Bond seconded the motion. Motion carried (4-0)

The meeting adjourned at 7:06 P.M.

Tracy Doran/Office Manager